



**APPLICATION FOR NOMINATION AS COMMISSIONER
FOR THE JUDICIAL BRANCH OF ARIZONA
IN MARICOPA COUNTY**

Instructions: Please read the accompanying instructions thoroughly before completing this Application. The original of this Application and **15** copies must be delivered no later than **3 PM on Wednesday, May 18, 2011** to the address indicated at the end of this Application. Please attach additional pages where necessary for a complete response. **Please do not put applications in plastic or metal binders and folders.**

Eligibility: Commissioners serve as judges *pro tempore* in the course of their regular duties. A candidate for this position must be a United States citizen, resident of Maricopa County at the time of appointment, of good moral character, a duly licensed member of the State Bar of Arizona, and shall have engaged in the active general practice of law and been a resident of the State of Arizona for a period of not less than five years immediately preceding his or her appointment. The Arizona Constitution, Article VI, §22 requires that judicial nominees must be at least 30 years of age, and Article VI, §37 requires that a nominee shall be under 65 years of age at the time of appointment. Note: Commissioners are required to file an annual financial disclosure statement.

A. PERSONAL INFORMATION

1. Full Name: _____
2. Office Address: _____

Telephone: _____
3. Mailing Address (No PO Box): _____

Other Telephone: _____
4. Have you continuously resided in Arizona for the past 5 years? ☐ Yes ☐ No
5. Are you between 30 and 65 years of age? ☐ Yes ☐ No
6. Are you a U.S. Citizen? ☐ Yes ☐ No

B. EDUCATIONAL BACKGROUND

7. Provide the following information as to schools you attended (undergraduate, graduate, and law).

<u>Name of School</u>	<u>City/State</u>	<u>Dates Attended</u>	<u>Degree Earned</u>
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8. List your major and minor fields of study, and any significant extracurricular activities.

9. List scholarships, awards, honors and citations you received during undergraduate and graduate study and law school.

C. PROFESSIONAL BACKGROUND AND EXPERIENCE

10. List all courts in which you have been admitted to the practice of law, with dates of admission, and if applicable, dates of resignation or termination. Provide the same information for administrative bodies, which require special admission to practice.

Bar or Other Admission

Dates

11. Have you been denied admission to the Bar of any state based on character and fitness screening? ☐ Yes ☐ No

If YES, please explain.

12. Have you ever failed to pass the Bar exam of any state?

☐ Yes ☐ No

If YES, please explain.

13. Indicate your employment history since completing your formal education. List your current position first. If you have not been employed continuously since completing your formal education, describe what you did during any periods of unemployment or other professional inactivity in excess of three months. Do not attach a résumé.

<u>Employer</u>	<u>Dates</u>	<u>Location</u>

14. List your current law partners and associates, if any. You may attach a firm letterhead or other printed list. Applicants who are judges should attach a list of judges currently on the bench in the court in which they serve.

15. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

16. List other areas of law in which you have practiced.

17. Indicate any specialties for which you have applied for certification by the State Bar of Arizona and the results of that or of those applications.

18. Describe your typical clients.

19. Have you served regularly in a fiduciary capacity other than as a lawyer representing clients? ☐ Yes ☐ No

If YES, give details:

20. Have you practiced in adversary proceedings before administrative boards or commissions? ☐ Yes ☐ No

If YES, please state:

- (a) The agencies and the approximate number of adversary proceedings in which you appeared before each agency.

- (b) The approximate number of these matters in which you appeared as:

- (i) Sole Counsel
(ii) Chief Counsel
(iii) Associate Counsel

21. Have you handled any matters that have been arbitrated or mediated?
☐ Yes ☐ No

If YES, please state the approximate number of these matters in which you were involved as:

- (i) Sole Counsel
(ii) Chief Counsel
(iii) Associate Counsel

22. List not more than three contested matters that you negotiated to settlement. Please state as to each case: (1) the date or period of the proceedings; (2) the names and addresses of all counsel involved and the party each represented; (3) a summary of the substance of each case; and (4) a statement of the particular significance of the case.

23 Have you practiced in Federal or Arizona trial courts? ☐ Yes ☐ No

If YES, please state:

(a) The approximate number of matters in which you appeared before:

- (i) Federal courts _____
- (ii) State courts of record _____
- (iii) Lower courts (Muni/JP) _____

(b) The approximate percentage of these matters which have been:

- (i) Civil _____
- (ii) Criminal _____
- (iii) Domestic Relations/Family Court _____
- (iv) Juvenile _____
- (v) Probate/Mental Health _____
- (vi) Tax _____

(c) The approximate number of these matters in which you were:

- (i) Sole Counsel _____
- (ii) Chief Counsel _____
- (iii) Associate Counsel _____

(d) The approximate percentages of these matters in which:

- (i) You conducted extensive discovery _____
- (ii) You wrote/filed a dispositive motion _____
- (iii) You negotiated a settlement _____
- (iv) The court rendered verdict after trial _____
- (v) A jury rendered verdict after trial _____
- (vi) Disposition occurred prior to any verdict _____

24. Have you practiced in the Federal or Arizona appellate courts:

☐ Yes ☐ No

If YES, please state:

(a) The approximate percentage of your appeals which have been:

- (i) Civil _____
- (ii) Criminal _____
- (iii) Domestic Relations/Family Court _____
- (iv) Juvenile _____
- (v) Probate/Mental Health _____
- (vi) Tax _____

(b) The approximate number of matters in which you appeared:

- (i) As counsel of record on the brief:
 - State Court _____
 - Federal Court _____
- (ii) Personally in oral argument:
 - State Court _____
 - Federal Court _____

25. Have you served as a judicial law clerk or staff attorney to a court?

☐ Yes ☐ No

If YES, state the name of the court and dates of service.

26. A. To be completed by **all applicants**:

List not more than five cases that you litigated as an attorney before arbitrators, administrative agencies, trial courts or appellate courts. Please state, as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency and the name of the judge or officer before whom the case was heard; (3) the names and addresses of all counsel involved and the party each represented; (4) a summary of the substance of each case, and (5) a statement of any particular significance of the case.

- B. To be completed by applicants **with judicial experience**:

List not more than five cases that you presided over or heard as a judge, commissioner, or arbitrator. Please state, as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) the names and addresses of all counsel involved and the party each represented; (4) a summary of the substance of each case, and (5) a statement of any particular significance of the case.

27. Describe any additional professional experience that you would like to bring to the attention of the Committee.

28. If you now serve or have previously served as a mediator, an arbitrator, or a part-time or full-time judicial officer, give dates and details, including the courts or agencies involved, whether elected or appointed, periods of service and a description of your assignments at each court or agency.

D. BUSINESS AND FINANCIAL INFORMATION

29. Have you ever been engaged in any occupation, business or profession, including military service, other than the practice of law or holding judicial or other public office other than as described in your answer to question 13?

☐ Yes ☐ No

If YES, please give details, including dates.

30. Are you now an officer, director or majority stockholder, or otherwise engaged in the management of any business enterprise? ☐ Yes ☐ No

- (a) If YES, give details, including the name of the enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service:

- (b) If YES, do you intend to resign such positions and withdraw from any participation in the management of any such enterprises if you are nominated and hired? ☐ Yes ☐ No

If NO, please give reasons:

31. Have you paid all state, federal, and/or local taxes when due?

☐ Yes ☐ No

If NO, please explain:

32. Have you ever violated a court order, including an order for payment of child or spousal support? ☐ Yes ☐ No

If YES, please explain:

E. PROFESSIONAL CONDUCT AND ETHICS

33. Have you ever been expelled, terminated, or suspended from employment, or any school or course of learning, because of plagiarism, cheating or any other "cause" that might reflect in any way on your integrity? ☐ Yes ☐ No

If YES, please provide all pertinent details:

34. Are you currently charged with, or have you ever been convicted of any felony, misdemeanor, or violation of the Uniform Code of Military Justice? ☐ Yes ☐ No

If YES, please explain:

35. List, describe, and provide the dates of any litigation concerning you, your law practice and/or any business-related matters in which you are or were a party.

36. List, describe and provide the dates of any sanctions imposed upon you by any courts for violation of any rule or procedure or for any other professional impropriety.

37. To your knowledge, has any formal charge of professional misconduct ever been filed against you by the State Bar in any jurisdiction? ☐ Yes ☐ No

If YES, when? How was it resolved?

38. During the last 10 years, have you unlawfully used controlled substances, narcotic drugs or dangerous drugs as defined by federal and state laws? ☐ Yes ☐ No

If your answer is "YES," explain in detail. (Unlawful use includes the use of one or more drugs and/or the unlawful possession or distribution of drugs. It does not

include the use of drugs taken under supervision of a licensed health care professional or other uses authorized by federal law provisions.)

39. In the past year, have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs?
☐ Yes ☐ No

If YES, please state the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

40. Within the last five years, have you ever been formally reprimanded, demoted, disciplined, cautioned, placed on probation, suspended or terminated by an employer?
☐ Yes ☐ No

If YES, please state the circumstances under which such action was taken, the date(s) such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action.

41. Have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a complaint or accusation of misconduct against you with any regulatory or investigatory agency, or with your employer?
☐ Yes ☐ No

If YES, please state the date(s) of such accusation(s), the specific accusation(s) made, and the background and resolution of such action(s).

42. Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs?
☐ Yes ☐ No

If YES, please state the date you were requested to submit to such a test, type of test requested, the name of the entity requesting that you submit to the test, the

outcome of your refusal, and the reason why you refused to submit to such a test.

43. In the past five years, have you failed to meet any deadline imposed by court order which led to litigation, or have you not complied with substantive requirements of any business or contractual arrangement which non-compliance led to litigation, including filing for bankruptcy? ☐ Yes ☐ No

If YES, please explain in full.

F. PROFESSIONAL AND PUBLIC SERVICE

44. Have you published any legal or non-legal books or articles?
☐ Yes ☐ No

If YES, please list them, giving the citations and dates.

45. Are you now and have you always been in compliance with the continuing legal education requirements applicable to you as a lawyer or judge?
☐ Yes ☐ No

If NO, please explain:

46. Have you taught any courses on law or lectured at bar associations, conferences, law school forums or continuing legal education seminars?
☐ Yes ☐ No

If YES, please describe:

47. A. List memberships and activities in professional organizations, including offices held and dates.

48. Have you served on any committees of any bar association (local, state or national) or have you performed any other significant service to the bar?
☐ Yes ☐ No

List offices held in bar associations or on bar committees. Provide information about any activities in connection with pro bono legal services (defined as services to the indigent for no fee), legal-related volunteer community activities or the like.

49. Describe the nature and dates of any community or public service you have performed that you consider relevant.

50. List any professional or civic honors, prizes, awards or other forms of recognition that you have received.

51. List any elected or appointed offices which you have held and/or for which you have been a candidate, and the dates:

52. Describe any interests outside of the practice of law that you would like to bring to the attention of the Committee.

G. HEALTH

53. Are you physically and mentally able to perform the essential duties of a Commissioner in the Superior Court? ☐Yes ☐No

Please identify any accommodations you may need to perform the job.

H. REFERENCES

54. Please list the names, addresses, and telephone numbers of three professional references who are lawyers or judges, who are familiar with your professional activities, and who would enthusiastically recommend you as qualified to serve as a Commissioner.

<u>Name</u>	<u>Address</u>	<u>Phone</u>

55. Please list the names, addresses, and telephone numbers of three persons who are neither lawyers nor judges with whom you have had contact other than professionally, who would enthusiastically recommend you to serve as a Commissioner:

<u>Name</u>	<u>Address</u>	<u>Phone</u>

56. Please list the names, addresses, and telephone numbers of four lawyers with whom you have dealt continuously on substantive matters as adversaries in the last five years. If you have been a full-time judicial or quasi-judicial officer for the last five years, list the names, addresses and telephone numbers of four lawyers who have frequently appeared before you in contested matters.

<u>Name</u>	<u>Address</u>	<u>Phone</u>

57. Please provide any other relevant matters concerning your practice of law, and additional information relative to your application or qualifications that you would like to bring to the attention of the Committee:

I. ADDITIONAL INFORMATION

58. Provide any additional information relative to your application or qualifications you would like to bring to the Courts attention at this time.

59. If selected for this position, do you intend to serve fully, including acceptance of rotation to areas outside your areas of practice or interest? If not, please explain.

60. As stated in the vacancy announcement, this position may be assigned to the Trial Courts of Arizona in Maricopa County, Initial Appearance Court, which will include evenings and weekends. Are you available for and willing to consider such an assignment? ☐ Yes ☐ No

61. Attach a brief statement explaining why you are seeking this position.

62. Attach to the end of your application one professional writing sample that you personally drafted, such as a brief or motion.

63. If you have served as a judicial or quasi-judicial officer, mediator or arbitrator, attach to the end of your application sample copies of not more than two written opinions (whether reported or not) that you personally drafted.

SIGNATURE AND DATE

By signing below, I acknowledge that everything stated in the application is true and correct to the best of my knowledge, information, and belief. I also acknowledge my understanding that the contents of this application for employment will be held in confidence subject to the employment practices of the Judicial Branch of Arizona in Maricopa County. I understand the fact that I have applied is not confidential, and the information provided may be verified by one or more members of the Commissioner Nominating Committee, or their designees.

Signature: _____ Date: _____

**Applications must be received by 3 PM on Wednesday, May 18, 2011.
Please enclose the completed and signed Application, and 15 copies, in an envelope marked "Commissioner Recruitment" to:
Judicial Branch Human Resources**

**101 West Jefferson
East Court Building, 3rd Floor (Law Library), Suite A
Phoenix, Arizona 85003
ATTN: Jason Novak**

The Judicial Branch of Arizona in Maricopa County provides reasonable accommodations in the application and selection process to individuals eligible for assistance under the Americans with Disabilities Act. To request such assistance, please contact the Human Resources Department at 602-506-4473.

PLEASE COMPLETE ONLY ONE (1) COPY OF THE AUTHORIZATION FOR RELEASE AND ATTACH TO THE ORIGINAL APPLICATION. OMIT FROM APPLICATION COPIES.

AUTHORIZATION FOR BACKGROUND CHECK AND RELEASE OF INFORMATION

The undersigned hereby authorizes the Committees of the Arizona State Bar Association, all Bar Associations, references, employers, business and professional associates, and all governmental agencies to release to the Judicial Branch of Arizona in Maricopa County Court Commissioner Nominating Committee any information requested by that Committee in connection with the processing of my request for consideration as a judicial officer candidate.

Signature: _____ Date: _____

AUTHORIZATION FOR CRIMINAL & DISCIPLINARY BACKGROUND CHECK

Criminal and disciplinary records of applicants will be checked.

By submission of this application, applicant authorizes the Judicial Branch upon request of the Presiding Judge of Maricopa County, or her designee, to conduct a criminal background and disciplinary records investigation as part of the application process for judicial officer appointment.

Name	
Address	
Work Phone	
Home Phone	
FAX Number	
Date of Birth	
Place of Birth	
Social Security Number	
State Bar Number	

Signature: _____ Date: _____



APPLICANT SURVEY INFORMATION (Optional)

PLEASE COMPLETE ONLY ONE (1) COPY OF THE APPLICANT SURVEY AND ATTACH TO THE ORIGINAL APPLICATION. OMIT FROM APPLICATION COPIES.

Instructions to the Applicant: The Judicial Branch of Arizona in Maricopa County is an Equal Opportunity Employer. The information solicited on this page is being compiled by the Judicial Branch Human Resources Department to comply with Federal EEO/Affirmative Action record keeping regulations and to enable related statistical research. You are not required to furnish this information, but your cooperation is encouraged. The information provided on this form is CONFIDENTIAL. This survey will be removed from your application prior to the review process.

1. DATE OF BIRTH: _____
2. DISABLED? ☐ YES ☐ NO
3. RACE/ETHNICITY ☐ ANGLO
☐ HISPANIC
☐ BLACK
☐ NATIVE AMERICAN
☐ ASIAN/PACIFIC ISLANDER
☐ OTHER
4. GENDER: ☐ MALE ☐ FEMALE
5. AGE: Over 40? ☐ YES ☐ NO

Reminder: Please complete only 1 copy of this form and attach to original application.